MARTIANS DIGGING CANALS

PROF. LOWELL SAYS HE'S BEEN WATCHING THEM GROW.

Two New Ones Are Observed at Flagstaff That Have Not Been Seen Before They Converge Toward an Gasis -The Astronomer's Proof of It All.

BOSTON, Dec. 31 .- Life on Mars is the gical and almost inevitable deduction from the latest observations at Flagstaff Hill as related this afternoon by Dr. Percival Lowell, the astronomer. "Animate will" is the term Dr. Lowell applies to the force which is bringing about a remarkable phenomenon on the planet.

In the popular way of reporting what Dr. Lowell has discovered the inhabitants of Mars are building a new system of canals from a known point to a new casis. Dr. Lowell says he is watching them grow. His first public statement was made this afternoon at a special ssion of Section A (mathematics and astronomy) of the American Association for the Advancement of Science.

"New canals on Mars in the first sense said the speaker, "though always interesting and at times highly important, are no novelty at this observatory, inasmuch as at least 400 have been discovered here in the past fifteen years.

When Schiaparelli left his great work he had mapped 117 canals; with those detected at Flagstaff the number has risen to between five and six hundred.

"To observe, however, a canal new the sense that it had never existed anteriorly and to prove the fact is ar astronomic detection of a different order and one the significance of which speaks for itself. This is what has happened, at the last apposition, at Flagstaff."

ber 30, 1909, when the region of the Syrtis Major came into view again after its periodic hiding of six weeks, two striking canals were evident to the eas of the Syrtis in places where no canals had ever previously been seen. Not only was their appearance unprecedented but the canals themselves were the most onspicuous ones on that part of the disc

The new capals ran from the botton of the Syrtis Major and from a point on its eastern side south converging to ar casis, itself new, on the Cocytus about two-thirds of the distance to where that canal meets the Amenthes.

"The Amenthes itself was not visible

except possibly as a suspicion. The new canals were recorded in independent drawings by Assistant E. C. Slipher and the director, and shortly afterward were photographed as the most conspicuous canals in the images.

"Subsequently examinations of the records showed that Mr. Slipher had drawn one of them the day before but. drawings of August, July, June or May. That they were indeed new was then conclusively established by examination of the records of previous years.

"The records of the observatory go back to 1894. Nor had any observer previous to 1894 recorded them. Schiaparelli had never seen them, nor had his essors or successors. This deterined definitely that no human eye had looked upon them before."

The speaker took up the question of whether the canals might not have been

"This may be answered definitely in the egative." he said, "when it is realized that a canal of such size, while it might not have been visio. Sewhere, account of the character of the air. mproved instrumental means and the experience of the observers, could not have escaped the director's assist

The next point considered by the cturer was whether the canals could he due to the annual seasonal change which affects all the features of the plane How can the observed phen-

continued Dr. Lowell, "be due to another cause which we have found operative the planet-the special polar association of particular canals? canals which are quickened solely from the melting of the north polar cap, such as the Thoth and others like the Ulysses which are beholden only to the southern one. But the present canals are not of that category, for they did not appear in past Martian years, which, had they so conditioned, they would have

"The records are decisive on the poin They do not belong to the class of unihemispheric seasonal canals, for the records at Flagstaff covering the seven or sight years needed to establish the fact are able to give an absolute verdict." The canals in question therefor

roved to be not simply canals new to us,

out canals new to Mars. In the canal system they are new and as such are the most important contribution to our knowledge of the planet in recent years. "Now let us see what they imply. In form they are like all the other canals, narrow, regular lines of even width throughout running with geometrical ion from definite points to another point, where an oasis is located. The oasis bles all other cases. They partake therefore of all the peculiar features of the canal system, features which make it impossible of natural creation, that is of the result of any purely physical

of which we have cognizance. On the other hand, the system exactly resembles what life there would evolve under the conditions we know to exist. The present phenomena show that the canals are still in process of creation that we have actually seen some formed under our very eyes. The importance of this, to our understanding of the canal system of Mars, can hardly be overesti-

"The phenomena transcend any natural law and are only explicable, so far as can be seen, by the presence out yonder of animate will."

GYROSCOPE R. R. FOR CANADA. First on the Continent Begun at New

Westminster, British Columbia. WEW WESTMINSTER, B. C., Dec. 31. Work has been begun on the first gyroscope railway in North America.

The line will encircle Okanagan. Jamson's Botanie Cough Ba

perintendent of Metropolitan Hospital Did Not Appear to Answer Charges.

Robert W. Hebberd, who goes out to day as Commissioner of Charities, took a parting shot yesterday at Dr. George Taylor Stewart, superintendent of the Metropolitan Hospital on Blackwell's Island. Dr. Stewart was charged two weeks ago by the Commissioner with misconduct in office, comprising among other derelictions the circulation of defamatory article about Mr. Hebberd whose office he is said to have wanted Yesterday Mr. Hebberd removed him from office. Dr. Stewart didn't appear at the examination which Mr. Hebberd made examination with the case yesterday.

charges against Dr. Stewart on Decembe 17. He gave him six days in which to answer. Mr. Hebberd said that Dr. Stewart, who besides his \$3,000 salary was allowed a residence on the island and maintenance at the cost of the city, had made "unnecessary and extravagant Dr. Stewart has caused to be constructed out of hospital material a tent for the use of his family on the island.

Commissioner Hebberd insisted on Dr. Stewart's paying the city for the tent. whereupon Dr. Stewart, so ran the charges, entered into a conspiracy with an employee to secure the publication newspaper articles reflecting upon ner. More than that, Dr. Stewart was charged with having permitted two of his staff doctors to circuate a petition urging Dr. Stewart's appointment to succeed Mr. Hebberd as

Notice of Dr. Stewart's dismissal was served on Mrs. Stewart, on his lawyers, and a copy was left in his office on the

Dr. Stewart was the first medical apperintendent of Bellevue Hospital when hat institution was separated from the Department of Public Charities in 1902. He served a year and then resigned to go to the Board of Health. He has been uperintendent of the Metropolitan Hospital since 1904. Nobody has been ap-pointed to take his place. Commissioner Hebberd also dismissed

William Walsh, who has been for twenty years assistant superintendent of the bureau of dependent adults in the De-partment of Public Charities at the foot of East Twenty-sixth street. The charges against him included misconduct in office, sence without leave and inefficiency.

BRONX PARK COMMISSIONER. Judge Gaynor Offers the Place to Thoma J. Higgins.

Mayor-elect William J. Gaynor last night announced his appointment of Thomas J. Higgins, a member of the Board of Education from The Bronx, as Park Com missioner of The Bronx. The offer was ade in the following letter whichsent to Mr. Higgins last night: Mr. Thomas J. Higgins, New York City.

DEAB SIR: I propose a sppoint you Com-tainstoner of Parks for The Bronx to mor-row and I trust you will accept, for a thor-ough reform of that office is needed Among other things I find that every one appointed to work in the parks there in what ever capacity is required to join a club by the present Commissioner and pay dues and assessments periodically levied to be used in primary contests and for other political purposes. Let all that be stopped immediately. No political interference or ifluence whatever sha!l hereafter be suffered in any department of the government of the city of New York. Sincerely yours, W. J. GAYNOR.

ing the Mayoralty was not marked with the rush of visitors to his Brooklyn home which had gone on steadily almost since election day. There were few callers, and most of them were personal friends and not applicants for appointments or their packers. He had no news of appointments to announce and after the departure of the reporters he went out hims for a long walk with Charles H. Hyde, hi former law partner and adviser

It was the general impression that the Mayor-elect would not announce any of his appointments before to-day and that would be fewer of them than has been anticipated.

TWO FIREMEN HURT. One Slightly, One Seriously, at a Tene

ment House Blaze. Two firemen were overcome. hem being seriously hurt in a fire at 336 East Thirty-eighth street last night. The blaze was confined to the cellar of a tenement house in which were twenty families, but the firemen had great difficulty on account of the smoke and water Assistant Foreman Fred Schultz of

Engine 21 went into the cellar, where schultz fell down and was unable to arise intil three other firemen found him. John Brennan, Joseph Hurley and John Hughes carried him into a hallway, but could not revive him. Schultz was taken to Bellevue Hospital, where they said he was in a serious condition.

Joseph Lanmann of Engine also overcome by the smoke, recovered in a short time. All the families were ordered out of the house. fames did not get higher than the first of Monday's hitherto unexplained movefloor and the damage was esti about \$500. .

3 KILLED ON ROCK ISLAND. Special in Missouri.

TRENTON, Mo., Dec. 31.—One of the worst wrecks the Rock Island road has had occurred at 8 o'clock this morning near Baker Crossing, north of Trenton, when the California Special No. 3, westbound was derailed. Three persons wer killed and about twenty-five injured The engine and two cars were burned and two other cars were demolished.

The dead are Fireman O. P. Linniger of Trenton, burned in his cab; Miss Gertrude Barner, daughter of Mrs. E. J. Robinson, 812 Osage avenue, Kansas City, and an unidentified young woman. and an unidentified young woman.

The engine and tender were turned over and the baggage and mail cars were thrown off the track ahead of the engine. The chair car was thrown off the track and cast on its side. The tourist and diner were thrown off but not turned

The engine began burning immediately and then fire coread to the tourist and diner.

The body of Fireman Linniger was found in the engine cab. The bodies of the two women were found under the wreckage of the chair car.

HEBBERD REMOVES STEWART. ROCK ISLAND BLAME FIXED

REPORT NAMES A WELL KNOWN STOCK EXCHANGE HOUSE.

They Are Not Likely to Submit Even to a Reprimand Without a Fight and Strong Influences Are With Them-Demand for Further Investigation.

One of the best known brokerage offices of New York and Chicago is criticised in the report submitted to the Stock Exchange governors by the special committee appointed to investigate the transactions in Rock Island common stock which sent the prices up thirty points and down again in the first fifteen minutes of trading Monday morning. The report says nothing at all about the principal in the transaction and admits that the brokerage house was an intermediary. The Stock Exchange has of ourse no authority over any one except its own members, and it was on this account, one of the officers said, that the committee did not look for the man higher up.

The pertinent testimony as gathered by the committee is to the effect that before the opening of business Monday morning the house now criticised had received an order to buy 30,000 shares or more of Rock Island common. The house followed the custom which has become lmost universal in the execution of big orders in recent years and parcelled out the order among other brokers. It gave to fifteen brokers not connected with its own house orders to buy 2,000 shares apiece at the market. Its own instructions were to buy at the market. The investigating committee makes no assertion that the house had any other than a proper intent in the distribution of the

But it happened that brokers who for many days past had had selling orders in Rock Island had none at all that morning. so that the effect of distribution of the orders was to produce rivalry among been allotted. Every one of the brokers naturally was anxious to perform his commission at the lowest possible price, and finding no stock offered every one of them had nothing to do except to bid against the others. The investigating mmittee insists that the house entruste with the original order should either have executed it itself or else have had its ntative on the floor of the Stock Exchange to guard against any such wild up bidding of prices as occurred. there would have been no Rock Island

On this account the committee reco mends that the house intrusted with the execution of the big order be dis-ciplined. The offence, if the governors decide it an offence, is altogether novel in Stock Exchange business customs rules and regulations. In the constitution and by-laws of the exchange the facts as stated by the committee constitute no specific offence, but the constitution has a general welfare claus and under this clause the governors of the exchange have in the past exercised the power of disciplining members for cific violation.

no spe The house against which the complaint and present its side of the story to the governors. Among the members of the is a man very prominently conand it is certain that when the case omes before the governors for official action strong pressure will be exercised in the house's interest. Influence also be exerted by a number of influential houses connected only in the ordinary business way with the house which

it is sought to discipline. Some of these brokers said that they rould go before the governors and insist that the governors disclose the name of the people who gave the 30,000 share order to the house in question. It was dmitted that the exchange had no authority to discipline the man or men behind it in any way, but the committee at any rate, it was argued, had the right to establish and reveal the facts. When the committee was appointed the understanding was that it was to solve the mystery surrounding both the origin and execution of the buying orders and the absence of selling orders. Only in a very superficial way, it was pointed out, has the committee done anything

of the kind. In some of the highest official Stock Exchange circles it was said yesterday that expulsion of the criticised firm was altogether improbable, that the chance spension are about even before the house has submitted its defence, and that a reprimand is the most likely dis cipline, if indeed any at all is adminstered. The firm will not submit to a

reprimand without a strong protest. One influential house when it heard yes terday of the committee's findings started movement to force a real explanation ment after a drastic and entirely impartial investigation into the business not only of brokers but of the men for whom they were acting. A call for such an investiga tion, it was said, would be submitted by petition to the governors unless the governors send back its report to the spe sittee and insist that it continue its

THE COMANCHE GETS OFF. Clyde Liner Sticks on Romer Shoal but

Is Soon Floated The Clyde liner Comanche, from Jacksonville and Charleston, grounded on Romer Shoal yesterday morning almost at high tide while trying to make port, her steering gear suddenly having gone out of commission. She sent a wireless to the city telling her agent of her plight and the Dalzell tugs Dalzelline and C. P. Raymond were sent down to her. Capt. C. O. Rockwell, pier superintendent of the line, boarded the Comanche from the Dalzelline and sent a despatch to the agent saying that she was resting easily on a mud bottom and was in no dange She was floated on a rising tide by th tugs assisted by the revenue cutter Motwenty-five cabin passengers will be able to eat their New Year's Day breakfast in

Will Leave for the Federal Prison Atlanta on Sunday.

Charles W. Morse has made his last fight and will go to Atlanta Sunday morning, there to begin serving the senten of fifteen years imposed by Judge Hough in the United States Circuit Court more than a year ago. This was learned on good authority yesterday afternoon, but it could not be confirmed at Marshal Henkel's office. It is understood that Marshal Henkel and two of his deputies will have charge of the convicted banker until he is safely turned over to the war den of the Federal prison in the Georgia capit l. The prisoner will leave Jersey City on the 10 o'clock express over the Pennsylvania Railroad

United States Attorney Wise served the court's rder for the execution of sentence on Marshal Henkel yesterday afternoon, though he had indicated his willingness to withhold the service of the order until Monday in case Martin W. Littleton, Morse's counsel, decided to take further appeal to the Judges of the Circuit Court of Appeals from Judge Hough's denial of the motion for a new trial. Mr. Littleton has definitely decided, however, not to take any action in the nature of an appeal, and having that effect the order for execution was at once served on Marshal Henkel

THE ALGONOUIN HELPLESS. Clyde Liner Drifting Near Hatteras With Broken Crank Shaft.

A United Wireless despatch received at 1:30 o'clock this morning states that the steamship Algonquin of the Clyde Line is drifting off Bodie Island near Cape Hatteras with a broken tail shaft. The Algonquin left Boston yesterday

ne of the new runs of the Clyde Line. The Apache of the same line has picked up her wireless call for help and will

norning for Galveston, Tex. This

PENSIONS STREET CAR MEN, Besides More Pay and Death Benefits

hasten to her aid.

PHILADELPHIA, Dec. 31.—The director of the Philadelphia Rapid Transit Com-pany voted unanimously to-day upon the resolution of Charles O. Kruger, president and general manager, to make the em-ployees other than executive officers and office clerks, three substantial New Year's gifts, establishing death benefits and a pension fund and guaranteeing three in-creases of wages to motormen and con-ductors and to elevated road employees. In brief the three propositions are:

1. A death benefit of \$500 as imme

and permanent protection to the familie of 9,000 employees.

2. A pension find for the same 9,000 employees immediately available, giving to each employee who has been twenty-five years in the service and has reached the age of 65 the privilege of retiring tween a remain of 230 a month for life.

upon a pension of \$20 a month for life.

3. To motormen and conductors now remain a raise of wages will be given on July 1, 1910, from 22 to 23 cents per hour; on July 1, 1912, from 23 to 24 cents an hour and on July 1, 1914, from 24 to 25 cent an hour. New employees coming into the service after January 1, 1910, will get a first increase of one cent an hour two years after employment, and two other vated road employees get like raises every two years to a maximum of 28 cents at

In accord with the New Year's spirit of this resolution \$100 was given out right by the company to Paul J. Brown a messenger in the P. R. T. offices, wh when a pasenger in a subway train that was suddenly stalled ran back with a red light, preventing a rear end collision las Thursday evening.

The Philadelphia Rapid Transit is th first traction corporation to establish pension fund and death benefits payable from its own resources and not con tributed by the men.

Voluntarily the company has the motormen and conductors an oppor tunity to reach the highest wages that they asked for at the time of the strike; this by merely continuing in the employ of the company.

ONEIDA COUNTY GRAFT CASE Supervisor Potter Convicted and

teneed to Auburn Prison UTICA. Dec. 31.-The final chapter the Oneida county graft scandal, unearthed a year ago, was written to-night when John W. Potter, member of the Board of Supervisors and for many years a member of the Democratic State comittee, representing Oneida county, was sentenced to serve not less than three nor more than five years and five months in Auburn prison. Potter was convicted of grand larceny in the first degree at 3:30 o'clock this afternoon and at 6 o'clock this evening Supreme Court Justice Andrews, before whom the case was tried imposed sentence. It is understood that counsel for the convicted man will imme ately endeavor to secure a writ of reasona ble doubt preliminary to appealing th

The charge against Potter was that h had conspired with other Supervisors, ar exSheriff and a clerk in a local furniture store to defraud Oneida county by mean padded bills.

THE BROOK DISAPPEARED

And So the Property Whose Line Marked Can't Be Determined.

The disappearance of a brook that once formed the boundary of five parcels of land in The Bronx is the cause of a suit that came before the Appellate Division of the Supreme Court yesterday on an appeal from an order dismissing the complaint. The higher court decides that it will prevent a multiplicity of suits later if the mystery of the brook is solved now and the boundary line established.

and the boundary line established.

The plaintiff is the Erie Basin Improvement Company, which owns a large trac of land the eastern boundary of which according to the record title, is the centrine of Cromwell's or Doughty's brook. The northern boundary is 170th street and the southern Cromwell and Inwood avenues. On the other side of the brooker the four other parcels of land.

MORSE GIVES UP FIGHTING. WOMAN ABLAZE IN MARTIN'S

BURNING BALLOON FELL ON HER AS SHE SAT AT TABLE.

Match Head Ignited Hangings and Spread to Toy Balloons Hung From Celling -Cool Heads Prevented Pante White Police Smothered the Flames.

A minute or two before midnight last night, when they were getting ready to celebrate the coming of the new year at Martin's restaurant at Broadway, Fifth avenue and Twenty-sixth street, a woman's clothes caught on fire and before the flames were extinguished she was pretty badly burned. She is Mrs. Charles E. Ellis of 210 West Fifty-sixth

Martin's is always one of the restau rants most closely packed with New Year's eve celebrants. Last night the floors were crowded with diners getting ready to drink to the new year. In the main dining room of the first floor Mrs. Ellis was dining with her father, brother and sister. The party had a table pretty well over on the Broadway side.

Somebody at a nearby table started to light a cigar. He scratched a match and the head flew off, landing in some flimsy hangings. The curtains flared up in an instant and the fire, eating a the nap of the cloth, ran upward. Overhead was a paper balloon, one of a string which the people at Martin's had stretched around the room in honor of New Year's

The balloon caught the flame and blazed up. The string with which it was hung the ceiling burned through with the first draft of flame and dropped on the head of Mrs. Ellis, who was sitting nearly below it. Her gown caught fire and she Somebody with his wits about him jumped on a table top and told the others

she looked as though she was going to great financial loss because he had a jump out.

detail work at the Twenty-sixth street and Broadway crossing saw the flames shoot past the window in Martin's and bing to the ceiling. They were Michael Murphy and James Kenney of the old West Twentieth street station. They left their places at the crossing and ran for the entrance to Martin's. They got up the stairs on the jump

and ran to Mrs. Ellis. Her gown, of some soft stuff that made good food for the fire, was still flaming, and she was doing her best to beat it out with her mer companions hadn't been ab smother the finness with their no or their bare hands.

The two policemen got after the flat nts were burned off and she outer garn herself was pretty badly seared. The worst burns were around her neck, shoulders and arms.

Murphy and Kenney had an ambulance called from New York Hospital. They carried Mrs. Ellis downstairs and laid

The folks who were dining at Martin's didn't have much appetite for a New Year's eve supper after that. For a time was left to care for favorite horses and subsided as soon as they realized that th fire stopped with the curtains and the

Mrs. Ellis's condition was pretty seriou early this morning. The doctors at the hour after she was brought there in the ambulance and were not able to give a definite report up to 1:30 o'clock.

CONTRACTOR BADLY HURT. George Doctor's Skull Fractured Brick Thrown by Boy.

George Doctor, a contractor of 966 St

Nicholas avenue had his skull fractured yesterday afternoon by a brick thrown by one of a crowd of boys whom he ha been chasing. Doctor was taken to the Washington Heights Hospital. He survived an operation, and the physicians say that he has a chance of recovery Doctor has been building an apartme house at 234 St. Nicholas avenue. F was annoyed by boys who loafed about the place and broke windows. Yester day he saw the boys tearing down a fence in the rear of the building. He gay chase and it was while running after boys that he was hit with the brick. Works men who saw him fall ran to Doctor' assistance. The boy who threw the brick got away unrecognized.

X-SCIENCE DOCTOR BILLS. Mrs. Eddy Says They Should Correspo

Boston, Dec. 31 .- Mrs. Mary Baker G. Eddy, head of the Christian Sc Church, in a letter published in the Caria tion Science Sentinel to-day, advises practitioners of the faith to charge only as much as would be asked by reputable medical physicians.

The letter was called forth as a result of a doubt in many practitioners' minds as tolthe proper rate of payment. The letter, sent to Archibald McLella ditor of the Sentinel, is as follows:

BROCKLINE, Mass., Dec. 24, 1909 "DEAR MR. MCLELLAN: Christian Science practitioners should make their reputable physicians in their respective localities. Sincerely yours, "MARY BAKER EDDY."

J. W. FRIEND'S WILL.

Steet Man Left Upward of \$20,000.000 All to His Family.

His will

PITTSBURG, Dec. 31.-James W. Friend the late steel manufacturer, part owner of the Pressed Stee! Car Company and its affiliated companies and at the time of his death partner of F. W. Hoffstot in that \$20,000,000.

for charity. The entire estate quest for subject to goes one-third to Mrs. Martha A Priend, his widow, and the other two thirds to his four children, Elizabeth Mail Priend, Rebekeh J. Friend, Charle Friend and Theodore Frie

MRS. KIP MARRIED AGAIN.

She Weds J. H. Little After Getting Divorce in Reno.

RENO, Nev., Dec. 31.-Frances Coster ones, who was divorced yesterday from Henry Spies Kip of New York city, was married last night in this city to J. H. Little, a mining man representing Wendell Phillips, the New York mining operator Mr. and Mrs. Little left immediately for San Francisco.

JANUARY SWIMMING RACE, Policemen Matched for a Contest

North River. Policemen George Borrough and James anion of the Charles street station are to have a swimming race in the North River off the foot of West Eighth street on Monday afternoon. They will start from the Bermuda Club and race around

The challenge to a midwinter sw made by Scanlon after Borrough had bested him recently in an endurance test in sleeping out o' doors on the roof of the station house.

The race is scheduled to start at 20'cloc in the afternoon, and Capt. Mike Galvin who is also president of the Bermuda Club, is to act as referee.

MRS. MACKAY SAYS SHE PAID. Bor Oscar Hammerstein Says Money for Concert Didn't Reach Him.

Mrs. Clarence H. Mackay asked Si preme Court Justice Newburger yesterds through her counsel for a commission take the testimony of Cleofonte Campa nini, formerly musical director at the Manhatten Opera House, in the suit brought against her by Oscar Hamr stein to recover \$5,000 for the alleged Mr. Campanini and the Manhattan orchestra when they appeared at Mrs. Mackay's home, 244 Madison avenue, or January 10 last.

Mrs. Mackay said in an affidavit that all the arrangements for the music we in the crowded room that the fire didn't amount to much. Somebody else got hold of Mrs. Ellis and held her back from the window. They said afterward that the stein declares that none of the mone ever reached him and says he suffered as though the mone of the mone ever reached him and says he suffered as though the mone of the mone ever reached him and says he suffered as though the mone of the mone ever reached him and says he suffered as though the mone ever reached him and says he suffered the manufacture. vertised a concert that day and expec to have Campanini there. The oc is now in Europe. The court reserv

TELEPHONE YELLED "FIRE!" Operator Located the Cry and Gave Firemen the Alarm.

Olga Rosenson, the nineteen-year-old daughter of Levi Rosenson, a retired merchant, was alone in her home at 63 Morton street. Williamsburg, last evening except for one servant, when she acci dently set fire to some clothes in a clo She rushed to the telephone to call up Fire Headquarters, but the flames reached her before she could give the house dress. The operator heard her After a time he was able to with their gloves and in a minute or two had them quite out. Most of Mrs. Ellis's locate the phone number and he sent

in an alarm The house was considerably day before the firemen arrived. Neighbor picked up Miss Rosen front of the house.

WILLS \$70,000 FOR ANIMALS. His Horses and Dogs as Well as Relatives Remembered by Charles F. Wright.

BOSTON, Dec. 31.—The sum of \$70,000 household servants by the will of Charle Francis Wright, who died at his home, or

Dartmouth street, on December 27. estate is estimated at several perited from his grandfather, John S Wright, founder of a wholesale grocery

The provision of \$70,000 for the care of animals is conditional upon the life of the animals and that of a brother of the testator, William J. Wright of Danbury. The money is left to the brother but in case he dies before the animals do the money will go toward the comfort of the surviving animals.

H. Wright of New York, receive \$100,00 each and two children of the late Eben Wright of New York \$50,000 each.

TAFT TALKS ABOUT ECONOMY. Finds Senator Hale in Accord With Him

May Save Almost \$100,000,000 a Year. WASHINGTON, Dec. 31.-With his annual essage on the way, his first special age completed and his advice to Congress on the conservation of natural resources mapped out in his mind Pre lent Taft late this afternoon turned his tion to one of the subjects in which he has evinced much interest—the curtailment of Government expenditures.

With Senator Hale of Maine, chairme of the Committee on Appropriations, the President talked over the question of Government expense. It was understood after the conference that Senator Hale was in thorough accord with Mr. Taft. He believed that it was possible for the Government to save almost \$100,000,000

HIT BY ROISTERERS BULLETS. Girl in Brooklyn Shot by Chinaman May

Mary Peters, a sixteen-year-old girl living with her parents at 428 Fourth avenue, Brooklyn, was shot early this torning by a stray bullet from a revolver in the hands of a celebrating Chinaman, for treatment equal to those of The bullet entered the girl's head and she was taken to the Seney Hospital

and may die. The shooting occurred at 12:30 o'clock this morning. A group of young men went by the house in which the girl lived, shouting and ringing bells and blowing The girl put her head out of the window to see what was going on and killing the power of his locomotive before the bullet struck her in the cheek, passing on into her head. She fell back into

The Chinaman, Chee Sing, 48 years old, company, left an estate variously esti-mated to be worth from \$15,000,000 to his house firing off a revolver in the air to celebrate New Year's. He was looked with the engine and like Finnigan's left an estate variously esti- lived next door and was out in front of he know of trouble ahead was up in the Fifth avenue police station to await the result of the girl's injuries.

TRAIN KILLS SPENCER TRASK

FLYING FREIGHT CRASHES INTO MONTREAL EXPRESS.

Victim Was on His Way to This City From His Saratoga Estate-Three Arrests Made-Pullmans Badly Smashed

-Many Fast Trains Held Up.

A man or a machine failed to work for he New York Central yesterday morning at Croton, thirty-five miles up the road. A fast freight train tearing for New York with \$1,000,000 worth of silks crashed into the rear end of the Montreal Express. which had been stalled by a dead local

train. Spencer Trask, the banker, philanthropist and patron of art, senior partner in the firm of Spencer Trask & Co. in William street, was killed instantly, crumpled up in the drawing room of the Escort, the end car of the Montreal Express. Mr. Track was the only person killed. Three were hurt-two Pullman car porters and Charles Simpson, a young man from Brooklyn.

Bert Ritter, the brakeman of the Montreal flier, who was sent back to flag the fast freight, is blamed for the wreck on the ground that he didn't go back far enough up the track. Ritter save he did. Engineer Flanigan and Fireman Knapp of the freight were agrested with Ritter pending an investigation as to whether they took a chance and disregarded the block signal to stop. Flanigan and Knapp say the signal gave them a clear track. The fourth man under arrest is M. F. non-payment to him for the services of Bellew, signalman in the tower. Sellew insists that he had adjusted his semaphores properly and that the freight should have kept out of the block in which the Montreal Express was imprisoned.

There are three sets of stories from which the railroad officials, the up-State Public Service Commission and Coroner Equiers of Westche ter are trying to fix ibility. The flagman sticks to it that he didn't lie down on his job, the crew of the fast freight's locomotive are positive that they obeyed the rules of the road, and the signalman is certain he did his duty. The railroad officials would make no statement fixing the cause, but one of them said that it was impossible believe that the signals had failed to

The Montreal Express, train 62 on the despatcher's sheet, is made up in two sections when the traffic is heavy enough. Usually it is. The sections run from Montreal over the tracks of the Delaware and Hudson to Troy. On Thursday night the private car of Dr. W. Seward Webb was attached to the first section and for that reason the sleeper that was waiting at Saratoga to be hauled to New York on the Montreal train was coupled to the rear end of the second section

Mr. Trask was in the habit of coming to New York from his estate, Yeddo, at Saratoga, about twice a week. Usually he took a later train, but it was his desire to arrive here early yesterday morning, so he engaged the drawing room on the Saratoga Pullman Escort. William E. Reed of Saratoga and Boston was a pas-senger in the same car. He said that Mr. Frask retired at 11:30 P. M. and asked he porter not to call him until the train

had reached Spuyten Duyvil. The express was made up of a powerful locomotive of the Atlantic type, five eleeping cars, two day coaches and a aggage car. It was lagging behind its chedule when it reached Croton because the bitter weather up along the Hudson had crippled traffic and all trains were moving uncertainly, especially the locals. Firemen were sweating hard trying to

geep up a full head of steam in the boilers. When the Montreal arrived at Croton it found the block set against it. A Peek skill local down the track was stalled for want of steam. Almost in the shadow of the home signal station the express pulled up, partly in one block and partly in another. F. R. Ritter, the rear end brakeman, was ordered back to hold up Two cousins, Anna B. Taylor and John the freight which the crew of the express knew was about due. The service rules are very precise about the duties of the

brakeman in this particular. The American Railway Association's rule for the protection of trains requires that "on all railroads in the United States when a train is stopped or delayed under circumstances in which it be overtaken by another train the flagman must go back with the stop signalsred lantern at night, red flag in the daytime-a sufficient distance to insure full protection." The New York Central added to that rule another, which provides that the flagman must not return to his train until the following train has arrived and stopped.

Nobody but Ritter knows how far back he went. He says he went a long dis tance down the track and gave the freight plenty of time to pull up. It was said that he returned to his train before the freight had come to a stop. At any rate, the silk train, eleven cars full of Japanese silks from Vancouver, stopped for nothing red flag, signals or the ing of the stalled express on the straight track dead ahead. It swept through the blocks and hit the express with all the impact that a twenty-five mile an hour gait could supply.

The freight train was running on assenger train schedule, practically unlimited as to speed. It had a right to make any time its engine crew cou out of it. For that reason it was han ing along on the passenger track, the southbound centre roadway. Apparently Flanigan, the engineer of the freight train, didn't see what was comi ne was almost on top of the Mo Express. Hedidn't jump-maybe be he didn't have time and just succeeded in he was amashed into the side of his call by the terrific jar of the collision. His fireman, J. E. Knapp, was bent over, shooting coal into the firebox, and the

await the result of the girl's injuries.

John Cavanaugh 19 years old, a driver, living at 540 West Twenty-ninth street, was shot while standing at Twenty-fifth street and Ninth avenue at 1 o'clock this merning by a roisterer. He was taken to Bellevus Hospital with a bullet in the Bellevus Hospital with a bullet in the line, the sleeper Eversham, and the line, the sleeper Eversham. freight drove so hard into the Pullman aleeper Escort that what wasn't wrecked of the engine's nose was sunk into the Escort like a spike in a railroad tie. The